REMARKS

This Amendment is submitted in response to the Office Action dated March 9, 2009 and the telephone interview courteously granted on May 21, 2009. Claims 7-22 are currently pending in the application. The Office Action: rejected Claims 7-22 under 35 U.S.C. §112; rejected Claim 7 under 35 U.S.C. §102; and rejected Claims 8-22 under 35 U.S.C. §103. Claims 7 and 8 are amended herein. A Request for Continued Examination is submitted herewith. The Commissioner is hereby authorized to charge deposit account 02-1818 for the RCE fee and for any other fees which may be due and owing.

The Office Action rejected Claims 7-22 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 7 and 8 are amended to address the rejections under second paragraph of 35 U.S.C. §11. In particular, the amendment "a delivery guide device that has a pair of delivery guides and causes..." in the currently amended Claim 7 is based on the paragraph [0034] and Figs. 7 to 9 of the present application. The amendment "a periphery of the transit aperture on a surface of the delivery guide device facing to the rear in a transporting direction of the work piece of the delivery guide device" in the currently amended Claim 7 is based on the paragraph [0037] and Figs. 7 and 8 of the present application. Also, the amendment "surfaces of delivery guides facing each other across the transit aperture," in currently amended Claim 8 is based on the paragraph [0037] and Figs. 7 and 8 of the present application. Therefore, no new matter has been added to the currently amended claims 7 and 8.

Accordingly, Applicants submit that the 35 U.S.C. §112, second paragraph rejections have been overcome and respectfully request withdrawal of same.

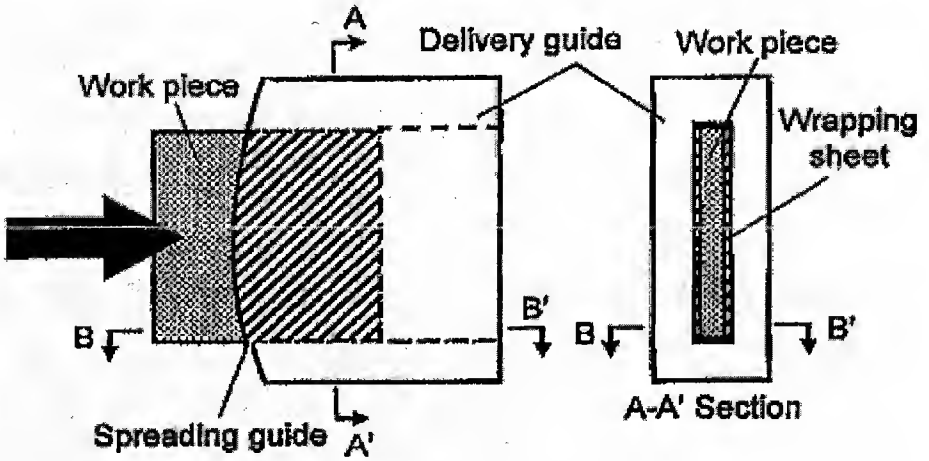
The Office Action rejected Claim 7 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,782,063 to Boriani et al. ("Boriani"). Claim 7 is the sole independent claim and has been amended to recite, at least in part, "a delivery guide device that includes a pair of delivery guides and causes the work piece to be wrapped by pushing the wrapping sheet with the work piece which is pushed on the transporting path of the work piece so as to cause the work piece to pass through a transit aperture that is provided between the pair of delivery guides; and a spreading guide provided on a periphery of the transit aperture on a surface of each of the pair of delivery guides facing to the rear in a transporting direction of the work piece of the delivery

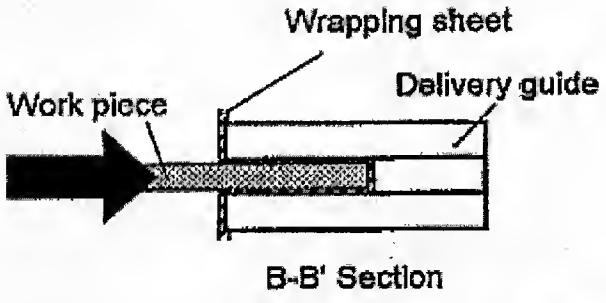
guide device, and whose center area in a transverse direction of the work piece protrudes toward the rear in the transporting direction of the work piece so as to gradually spread the wrapping sheet out from a center area in the transverse direction of the work piece towards both edges thereof with the work piece advances through the transit aperture.

Regarding rejections to the Claim 7 over Boriani, the work piece wrapping apparatus according to the amended Claim 7 of the presently claimed invention has a feature in which a spreading guide is provided on a periphery of the transit aperture on a surface of the delivery guide device facing to the rear in a transporting direction of the work piece of the delivery guide device, and spreading guide's center area in a transverse direction of the work piece protrudes toward the rear in a transporting direction of the work piece so as to gradually spread the wrapping sheet out from a center area in the transverse direction of the work piece towards both edges thereof with the work piece advances through the transit aperture.

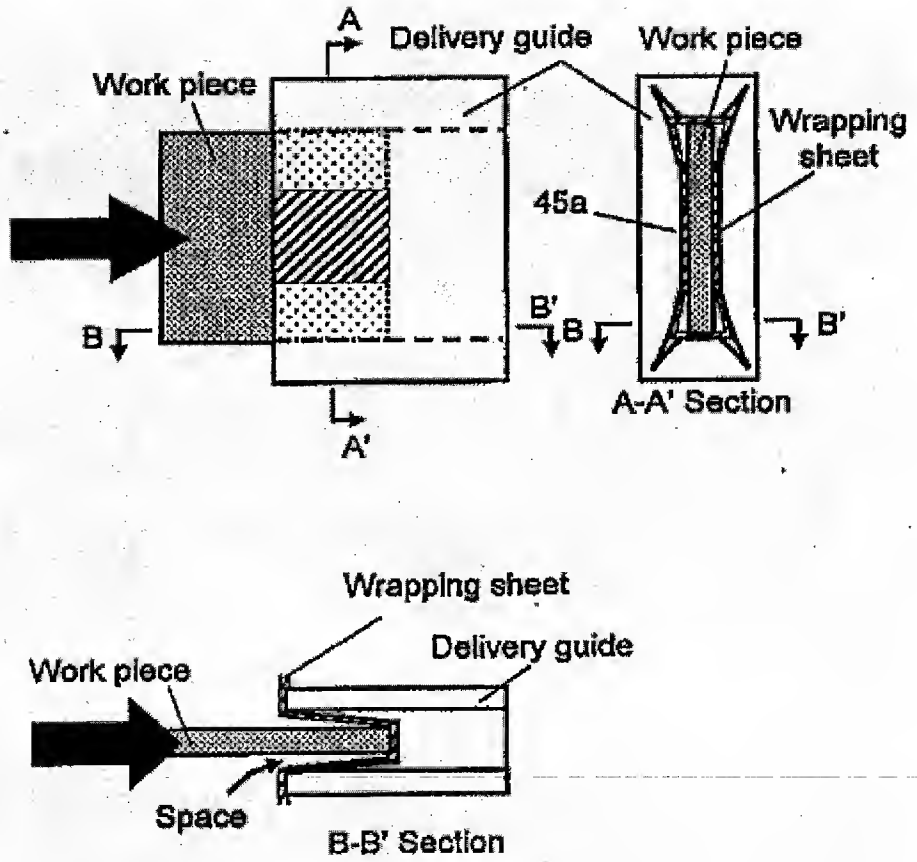
With this feature, the wrapping sheet is gradually spread out from the center portion thereof outwards towards both edges thereof by the spreading guide in the transverse direction of the work piece when the wrapping sheet is pressed against the spreading guide by the work piece which is pushed in a transporting direction thereof, and then the wrapping sheet is entered to the transit aperture of the delivery guide device together with the pushed work piece. After that, the wrapping sheet passes through between the pair of delivery guides together with the pushed work piece while maintaining a condition in which the wrapping sheet surely contacts on both upper and lower surfaces of the work piece by sandwiching in between surfaces of delivery guides facing each other across the transit aperture. Accordingly, any wrinkling of the wrapping sheet and residual air between the surfaces of the work piece and the wrapping sheet can be pushed out towards the outside by the spreading guide. After that, the condition in which the wrapping sheet surely contacts on both upper and lower surfaces of the work piece without any wrinkling and residual air can be maintained on whole areas of the surfaces of the work pieces in transverse direction of the work piece. As a result, the work piece can be tightly wrapped without any wrinkling of the wrapping sheet and residual air between the surfaces of the work piece and the wrapping sheet. However, the above-mentioned feature of the present invention is neither disclosed nor suggested in Boriani, as further agreed to during the recent telephone interview. (See, Interview Summary dated May 22, 2009).

Specifically, Boriani discloses the delivery guide device 33 having convex portions 45; and the wrapping sheet can be gradually spread out from the center portion thereof outwards towards both edges thereof by the convex portions 45a in the transverse direction of the work piece. However, the convex portions 45a in Boriani is provided on not a periphery of the transit aperture on a surface of the delivery guide device facing to the rear in a transporting direction of the work piece of the delivery guide device but on the inner surfaces in the delivery guide device 33 (corresponding to the surfaces of delivery guides facing each other across the transit aperture of the present invention). That is, the convex portions 45a protrude in the direction orthogonal to both the transverse direction and the transporting direction of the work piece. The illustrations below also aid in understanding the distinctions between the presently claimed invention and Boriani.





The present invention



Boriani et al.

Therefore, as shown in the B-B' section of the schematic drawings shown above, there is space between the surface of the work piece and the surface of the convex portions 45a in the vicinity of the both edges in the transverse direction of the work piece, and the wrapping sheet does not contact on the upper and lower surfaces of the work piece in the vicinity of the both edges in the transverse direction of the work piece in Boriani. Accordingly, in Boriani, generating of wrinkling of the wrapping sheet or residual air between the surfaces of the work piece and the wrapping sheet cannot be prevented due to the vicinity of the both edges in the transverse direction of the work piece. As a result, Boriani cannot achieve the object of the presently claimed invention.

Accordingly, for at least the reasons outlined above, the work piece wrapping apparatus according to the amended Claim 7 includes features which are neither disclosed nor suggested in Boriani.

Accordingly, Applicants respectfully requests that the 35 U.S.C. §102 rejection of Claim 7 in view of Boriani be withdrawn.

Regarding the obvious rejections to Claims 8-22 over Boriani in view of the remaining cited references, Applicants believe that Claims 8-22 should also be allowable due at least to their dependency on the Claim 7, and for the additional elements recited therein, even assuming that the secondary references are properly combinable with Boriani.

For at least the reasons above, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicit reconsideration of same.

Respectfully submitted,

K&L GATES LLP

BY _____

Thomas C. Basso
Reg. No. 46,541
Customer No. 29175

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